

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
★ JUN 22 2007 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN

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THE ANNUITY, PENSION, WELFARE and
TRAINING FUNDS of the INTERNATIONAL
UNION OF OPERATING ENGINEERS, LOCAL
14-14B, AFL-CIO, by its TRUSTEES EDWIN
L. CHRISTIAN, et al.,

Plaintiffs,

06 CV 6148 (SJ) (RER)

- against -

ORDER

DRAMA CONSTRUCTION CORP.,

Defendants.
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JOHNSON, Senior District Judge:

Before the Court is a Report and Recommendation ("the Report"), prepared by Magistrate Judge Raymond E. Reyes¹ in response to an order of this Court dated January 7, 2007.² Judge Reyes filed the Report on February 26, 2007, and provided the parties 10 days upon receipt of the Report to file any objections. No objections have been filed.

A district court judge may designate a magistrate judge to hear and determine

¹ The Court thanks Judge Reyes for his work in this regard.

² Familiarity with the facts and procedural posture of the case are presumed.

certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985).

As mentioned, no objections were filed within the allotted time period. Therefore, this Court adopts and affirms the Report in its entirety and (1) grants Plaintiffs' request for injunctive relief compelling Defendant to submit to an audit of its financial records so that plaintiffs may ascertain the amount, if any, of unpaid contributions due and owing for the period beginning on July 1, 2003, and continuing to the present, (2) awards \$495 in costs, and (3) permits plaintiffs, upon completion of the audit and upon submission of evidentiary support, to petition the Court for an amended judgment to reflect specific amounts for damages and attorney's fees.

SO ORDERED.

Dated: June 14, 2007
Brooklyn, NY

/s/(SJ)

Senior U.S.D.J.